

JOURNAL OF THE SENATE [June 10, 1965]

STATE OF WISCONSIN

Senate Journal

Seventy-Seventh Session

THURSDAY, June 10, 1965.

9:00 o'clock A.M.

The senate met.

The president in the chair.

Prayer was offered by The Reverend Joseph Washington.

MOTIONS

Upon motion of Senator Knowles, with unanimous consent, the senate resolved to suspend that part of Senate Rule One relating to the wearing of coats in the chamber, due to the hot weather, for today's session.

The roll was called and the following senators answered to their names:

Senators Benson, Bice, Busby, Carr, Christopherson, Dempsey, Dorman, Draheim, Hansen, Hollander, Kendzior-ski, Keppler, Knowles, Krueger, LaFave, Leonard, Leverich, Lorge, Lourigan, McParland, Meunier, Panzer, Rasmusen, Risser, Roseleip, Schreiber, Schuele, Smith, Sussman, Thompson, Warren and Zaborski—32.

Absent—Senator Miller—1.

INTRODUCTION OF AMENDMENTS

Amendment No. 2, S. to substitute amendment No. 1, S. to Senate Bill 310 was offered by Senator Sussman.

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Substitute amendment No. 1, S. to Senate Bill 368 was offered by Senator Sussman.

EXECUTIVE COMMUNICATIONS

To the Honorable, the Senate:

The following bills, originating in the senate, have been approved, signed and deposited in the office of the Secretary of State.

Senate Bill	Chapter No.	Date Approved
63 -----	87 -----	June 8, 1965
88 -----	88 -----	June 8, 1965
500 -----	89 -----	June 8, 1965
28 -----	90 -----	June 8, 1965

Respectively submitted,

WARREN P. KNOWLES,

June 8, 1965.

Governor.

To the Honorable, the Senate:

Pursuant to the provisions of the statutes governing, and by and with the advice and consent of the Senate, I hereby nominate and appoint Willard Pire, of Eau Claire, a member of the State Aeronautics Commission, to succeed Don A. Olson, for the term ending April 30, 1971.

Respectfully submitted,

WARREN P. KNOWLES,

June 9, 1965.

Governor.

The foregoing appointment by the Governor was referred to the committee on Governmental and Veterans' Affairs.

To the Honorable, the Senate:

Pursuant to the provisions of the statutes governing, and by and with the advice and consent of the Senate, I hereby nominate and appoint Harry Chaplin, of Plymouth, a member of the State Aeronautics Commission, to succeed Arlyn G. West, for the term ending April 30, 1971.

Respectfully submitted,

WARREN P. KNOWLES,

June 9, 1965.

Governor.

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The foregoing appointment by the Governor was referred to the committee on Governmental and Veterans' Affairs.

MESSAGE FROM THE ASSEMBLY

By James P. Buckley, chief clerk thereof.

Mr. President:

I am directed to inform you that the assembly has adopted and asks concurrence in

Assembly Joint Resolution 7,

Assembly Joint Resolution 96, and

The action by which the assembly, upon motion of Assemblyman Nitschke, pursuant to Joint Rule 26, has directed the Legislative Reference Bureau to prepare a suitable joint certificate of Congratulations to Mr. Walter Guilian of Beaver Dam upon the occasion of his being elected National President of the American Collectors' Association, Inc. held in Colorado Springs, Colorado., and

The action by which the assembly, upon motion of Assemblyman Whittow, pursuant to Joint Rule 26, has directed the Legislative Reference Bureau to prepare a suitable joint certificate of Congratulations to the Sheboygan Association of Commerce, Sheboygan, Wisconsin, upon the occasion of the succulent aroma of the blue Bratwurst smoke permeated the sunny expanse of Burrows Park on the shores of Madison's Lake Mendota on June 8, 1965; and Whereas, this was BRATWURST DAY in Madison, sponsored by the Sheboygan Association of Commerce to preview for the members of this legislature that glorious August day which again will bring the old home town, Sheboygan, to national prominence; and Whereas, this outing again permitted the staging of the annual "Dems. v. Reps." baseball game, affording the Republican caucus an opportunity to demonstrate their superiority, in matters of baseball, over their Democratic colleagues by the championship score of 11 to 2; now, therefore, The Members of the Wisconsin Legislature, on the motion of Assemblyman Whittow, we congratulate the city of Sheboygan on being the home of culinary delight, Bratwurst, and extend their most grateful thanks to the Sheboygan Association of Commerce for their kindness in sharing this epicurean triumph with the Members of the Wisconsin Legislature., and has

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Passed and asks concurrence in

Assembly Bill 31,

Assembly Bill 305,

Assembly Bill 375,

Assembly Bill 552,

Assembly Bill 616,

Assembly Bill 778,

Assembly Bill 781 and has

Concurred in

Senate Joint Resolution 77 and

Amendment No. 1, S. to Assembly Bill 508.

ASSEMBLY MESSAGE CONSIDERED

Read first time:

Assembly Joint Resolution 7

To committee on Judiciary.

Assembly Joint Resolution 96

Was read.

To committee on Labor, Taxation, Insurance and Banking.

The assembly's action under Joint Rule 26, pursuant to motion of Assemblyman Nitschke, was concurred in upon motion of Senator Panzer, and, the motion of Assemblyman Whittow was concurred in upon motion of Senator Keppler.

The senate's action was ordered immediately messaged to the assembly.

Read first time and referred:

Assembly Bill 31

To committee on Labor, Taxation, Insurance and Banking.

Assembly Bill 305

To committee on Judiciary.

Assembly Bill 375

To committee on Judiciary.

Assembly Bill 552

To committee on Labor, Taxation, Insurance and Banking.

Assembly Bill 616

To committee on Public Welfare.

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Assembly Bill 778

To committee on Education.

Assembly Bill 781

To committee on Labor, Taxation, Insurance and Banking.

MOTIONS

Senate Bill 144

Senator Krueger asked unanimous consent that the bill on the calendar of Friday, June 11th be made a Special Order for 9:00 o'clock Wednesday morning, June 16th.

Senator Risser objected.

Senate Bill 280 and

Senate Bill 281

Were recalled from the joint committee on Finance and referred to the calendar, upon motion of Senator Hollander, with unanimous consent.

Upon motion of Senator Knowles, with unanimous consent, today's adjournment was to be with best wishes to the Minority Party on its convention this weekend from the Majority Party with extended hopes that the convention would be a most successful one.

SPECIAL ORDER

Senator Roseleip called the attention of the senate to the Special Order which had been fixed for 9:00 o'clock this morning and to the fact that that hour had arrived.

The senate proceeded to consider.

Senate Bill 301

Which had been made the Special Order.

Amendment No. 2, S. to substitute amendment No. 1, S. was offered by Senator Benson.

The president pro tempore in the chair.

Senate Bill 301

The question was: Shall amendment No. 1, S. to substitute amendment No. 1, S. be adopted?

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The ayes and noes were demanded and the vote was: ayes, 16; noes, 16 absent or not voting, 1; as follows:

Ayes—Senators Bice, Busby, Christopherson, Dempsey, Hollander, Keppler, Krueger, LaFave, Leverich, Lorge, McParland, Meunier, Rasmusen, Roseleip, Smith and Warren—16.

Noes—Senators Benson, Carr, Dorman, Draheim, Hansen, Kendziorski, Knowles, Leonard, Lourigan, Panzer, Risser, Schreiber, Schuele, Sussman, Thompson and Zaborski—16.

Absent or not voting—Senators Miller—1.

So the question was decided in the negative.

Senate Bill 301

Senator Roseleip moved that the vote by which the senate refused to adopt amendment No. 1, S. to substitute amendment No. 1, S. be reconsidered.

The ayes and noes were demanded and the vote was: ayes, 15; noes, 17; absent or not voting, 1; as follows:

Ayes—Senators Bice, Busby, Dempsey, Hollander, Keppler, LaFave, Leverich, Lorge, McParland, Meunier, Panzer, Rasmusen, Roseleip, Smith and Warren—15.

Noes—Senators Benson, Carr, Christopherson, Dorman, Draheim, Hansen, Kendziorski, Knowles, Krueger, Leonard, Lourigan, Risser, Schreiber, Schuele, Sussman, Thompson and Zaborski—17.

Absent or not voting—Senator Miller—1.

So the motion did not prevail.

Senate Bill 301

Senator Roseleip moved that amendment No. 2, S. to substitute amendment No. 1, S. be rejected.

Senator Roseleip moved a

CALL OF THE SENATE

Which motion was supported.

The sergeant-at-arms was directed to close the doors and the clerk to call the roll.

The roll was called and the following senators answered to their names:

Senators Benson, Bice, Busby, Carr, Christopherson, Dempsey, Dorman, Draheim, Hansen, Hollander, Kendziorski, Keppler, Knowles, Krueger, LaFave, Leonard, Leverich,

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Lorge, Lourigan, McParland, Meunier, Panzer, Rasmusen, Risser, Roseleip, Schreiber, Schuele, Smith, Sussman, Thompson, Warren and Zaborski—32.

Absent—Senator Miller—1.

Absent with leave—None.

LEAVE OF ABSENCE

Senator Miller was granted a leave of absence for today's session, upon motion of Senator Knowles, with unanimous consent.

Upon motion of Senator Roseleip, with unanimous consent, further proceedings under the call presently in effect were dispensed with.

Senate Bill 301

The question was: Shall amendment No. 2, S. to substitute amendment No. 1, S. be rejected?

The ayes and noes were demanded and the vote was: ayes, 27; noes, 5; absent or not voting, 1; as follows:

Ayes—Senators Bice, Busby, Carr, Dempsey, Dorman, Draheim, Hollander, Kendzierski, Keppler, Knowles, Krueger, LaFave, Leonard, Leverich, Lorge, Meunier, Panzer, Rasmusen, Risser, Roseleip, Schreiber, Schuele, Smith, Sussman, Thompson, Warren and Zaborski—27.

Noes—Senators Benson, Christopherson, Hansen, Lourigan and McParland—5.

Absent or not voting—Senator Miller—1.

So the question was decided in the affirmative.

Senate Bill 301

Senator Kendzierski moved that substitute amendment No. 1, S. be rejected.

The ayes and noes were demanded and the vote was: ayes, 31; noes, 1; absent or not voting, 1; as follows:

Ayes—Senators Benson, Bice, Busby, Carr, Christopherson, Dempsey, Dorman, Draheim, Hansen, Hollander, Kendzierski, Keppler, Knowles, Krueger, LaFave, Leonard, Leverich, Lorge, Lourigan, McParland, Meunier, Panzer, Ras-

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musen, Risser, Schreiber, Schuele, Smith, Sussman, Thompson, Warren and Zaborski—31.

Noes—Senator Roseleip—1.

Absent or not voting—Senator Miller—1.

So the motion prevailed.

Senate Bill 301

Relating to a truth in education act and providing penalties.

The question was: Shall the bill be indefinitely postponed?

The ayes and noes were demanded and the vote was: ayes, 31; noes, 1; absent or not voting, 1; as follows:

Ayes—Senators Benson, Bice, Busby, Carr, Christopher-son, Dempsey, Dorman, Draheim, Hansen, Hollander, Kendziorski, Keppler, Knowles, Krueger, LaFave, Leonard, Leverich, Lorge, Lourigan, McParland, Meunier, Panzer, Rasmusen, Risser, Schreiber, Schuele, Smith, Sussman, Thompson, Warren and Zaborski—31.

Noes—Senator Roseleip—1.

Absent or not voting—Senator Miller—1.

So the bill was indefinitely postponed.

Senate Bill 393

The bill a Special Order for 9:01 o'clock this morning was made a Special Order for 9:00 o'clock Wednesday morning, June 16th, upon motion of Senator LaFave, with unanimous consent.

Upon motion of Senator LaFave, with unanimous consent, the senate returned to the 3rd order of business.

INTRODUCTION OF AMENDMENTS

Amendment No. 1, S. to Senate Bill 338 was offered by Senator LaFave.

Amendment No. 1, S. to Senate Bill 485 was offered by Senator LaFave.

Upon motion of Senator LaFave, with unanimous consent, the senate proceeded to the 8th order of business.

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SPECIAL COMMITTEE REPORTS

Report of Joint Survey Committee to Senate Bill 338

Recommendation

It is the opinion of this committee that assage of this bill would be in the public interest, but that Section 4 of the bill should be deleted by amendment; and amendment for such purpose is presented and recommended for adoption.

Respectfully submitted,

JOINT SURVEY COMMITTEE ON RETIREMENT SYSTEMS

Senator Reuben LaFave, Chairman.
Assemblyman Vincent R. Mathews,
Vice-Chairman.

Senate Bill 338

To committee on Education.

Report of Joint Survey Committee to Senate Bill 485

Recommendation

It is the opinion of this committee that Sections 34 through 39 and Sections 41 through 44 of this bill are not now desirable, and that the matters dealt with in such sections should be not considered by the legislature pending a complete analysis by the Retirement Research Council. The committee therefore offers an amendment which would delete such sections from the bill.

Respectfully submitted,

JOINT SURVEY COMMITTEE ON RETIREMENT SYSTEMS

Senator Reuben LaFave, Chairman.
Assemblyman Vincent R. Mathews,
Vice-Chairman.

Senate Bill 485

Was rereferred to the joint committee on Finance, upon motion of Senator LaFave, with unanimous consent.

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Report of Joint Survey Committee to Senate Bill 520

Recommendation

It is the opinion of this committee that passage of this bill would be in the public interest.

(Note: Attention is called to an apparent typographical error in line 11 of the bill; the word "continue" should be continued".)

Respectfully submitted,

JOINT SURVEY COMMITTEE
ON RETIREMENT SYSTEMS

Senator Reuben LaFave, Chairman.

Assemblyman Vincent R. Mathews,
Vice-Chairman.

Senate Bill 520

To committee on Governmental and Veterans' Affairs.

Upon motion of Senator Bice, with unanimous consent,
the senate returned to the 7th order of business.

COMMITTEE REPORT

The committee on Committees reports and recommends:

The following appointments to the Committee for Review
of Administrative Rules, pursuant to Section 227.041 (1),
Wisconsin Statutes:

Senators LaFave and McParland

The following appointments to the Board on Government
Operations, pursuant to Section 14.72 (1), Wisconsin
Statutes:

Senators Hollander (Chairman, joint committee on
Finance), Draheim and Risser

The following appointments to the Joint Legislative
Council, pursuant to Section 13.35 (1), Wisconsin Statutes:

Senators Panzer (President Pro Tempore), Knowles,
Lorge, Miller, Leonard and McParland

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The following appointments to the Committee on Legislative Organization and Procedure, pursuant to Section 13.353 (2), Wisconsin Statutes:

Senators Knowles, Keppler, Hollander, McParland and Sussman

The following appointment to the Retirement Research Council, pursuant to Section 13.40 (8), Wisconsin Statutes:
Senator Hansen

The following appointments to the Committee to Visit State Institutions, pursuant to Section 13.057 (1), Wisconsin Statutes:

Senators Leverich, Meunier and Christopherson (member of Building Commission)

The following appointments to the World's Fair Participation Commission, pursuant to Section 15.95 (1) (j), Wisconsin Statutes:

Senators Rasmusen, Roseleip and Benson

Senators RAYMOND C. BICE,
Chairman.

JESS MILLER
JERRIS LEONARD

Was read.

The foregoing report of the committee on Committees was made a Special Order for 10:00 o'clock Wednesday morning, June 16, upon motion of Senator Zaborski, with unanimous consent.

Upon motion of Senator Lorge, with unanimous consent, the senate proceeded to the 11th order of business.

MOTIONS

Senate Bill 45

Was recalled from the committee on Highways and referred to the calendar, upon motion of Senator Lorge, with unanimous consent.

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Senate Joint Resolution 51

The joint resolution a Special Order for 9:01 o'clock this morning was made a Special Order for 9:01 o'clock Wednesday morning, June 16th, upon motion of Senator Busby, with unanimous consent.

MOTION UNDER JOINT RULE 26

The State of Wisconsin—Citation by the Legislature

Know you by these presents:

Whereas, George W. Hamilton, 73, a lifelong Republican and Wisconsin's only negro delegate to the 1964 Republican National Convention, a widely known attorney and one-time Hollywood actor, died suddenly Sunday, June 6, 1965 following a heart attack. Mr. Hamilton of Milwaukee practiced law there from 1928 to 1945, then moved to Los Angeles. In 1954 he was appointed by President Eisenhower as an Administrative Assistant to the Governor of the Virgin Islands. After eighteen months in that post he returned to Milwaukee to practice law.

A native of Topeka, Kansas, he was graduated from Kansas State Teachers college in 1916 and received his law degree from the University of Kansas in 1922.

Mr. Hamilton was a member of many civic groups. He had been a director of the Milwaukee Urban League, a vice-president of the old Milwaukee Race Relations Council, and chairman of the Fair Employment Advisory Committee to the State Industrial Commission.

In Hollywood, Mr. Hamilton worked for an insurance firm and also played in several movies, including "Lone Star," "Tap Roots," "The President's Lady" and "The Well." He appeared with such stars as Clark Gable, Susan Hayward and Charlton Heston.

He is survived by his wife, Helen, and a daughter, Mrs. Census (Marion) Friar, Los Angeles.

In view of the many years of devoted public service by George W. Hamilton; now, therefore,

The Members of the Wisconsin Legislature, on the joint motion of Senators Jerrie Leonard and Martin Schreiber (member, 1st house), co-sponsored by Assemblyman Glen

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Pommerening (co-sponsor, 2nd house), under Joint Rule 26, mourn the passing of Mr. Hamilton and extend heartfelt condolences to his family.

Said certificate to be prepared by the Legislative Reference Bureau.

The foregoing motion was read and adopted by unanimous rising vote.

Ordered immediately messaged to the assembly.

Senator Hollander was called to the chair to preside.

CALENDAR OF WEDNESDAY, MAY 26th SECOND READING OF SENATE BILLS

Senate Bill 102

The bill was made a Special Order for 10:00 o'clock Tuesday morning, June 15th, upon motion of Senator Leonard, with unanimous consent.

SECOND READING OF ASSEMBLY BILLS

Assembly Bill 234

Was laid over until Tuesday, June 15th, upon motion of Senator Dempsey, with unanimous consent.

THIRD READING OF BILLS

Senate Bill 420

Relating to the creation of the office of deputy state superintendent of public instruction.

Was read a third time.

The question was: Shall the bill pass?

The ayes and noes were required and the vote was: ayes, 23; noes, 8; absent or not voting, 2; as follows:

Ayes—Senators Bice, Busby, Carr, Christopherson, Hansen, Hollander, Keppler, Knowles, Krueger, LaFave, Lorge, McParland, Meunier, Panzer, Rasmusen, Risser, Schreiber, Schuele, Smith, Sussman, Thompson, Warren and Zabor-ski—23.

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Noes—Senators Benson, Dempsey, Dorman, Kendziorski, Leonard, Leverich, Lourigan and Roseleip—8.

Absent or not voting—Senators Draheim and Miller—2.
So the bill passed.

CALENDAR OF THURSDAY, MAY 27th CONSIDERATION OF RESOLUTIONS

Senate Resolution 22

A resolution requesting an opinion of the Attorney General regarding the application of the lobbying laws to certain persons.

Was read and adopted.

Senate Joint Resolution 64

The joint resolution was referred to the joint committee on Finance, upon motion of Senator Knowles, with unanimous consent.

SECOND READING AND AMENDMENT OF SENATE BILLS

Senate Bill 178

Relating to the county supplement for salaries of county judges.

Read a second time.

The bill was ordered engrossed and read a third time.

Upon motion of Senator Knowles, with unanimous consent, the bill was considered for final action at this time.

The bill was read a third time and passed.

Senate Bill 207

Relating to filing report of consideration for transfer of real estate, and providing a penalty.

Read a second time.

The bill was re-referred to the committee on Judiciary, upon motion of Senator Leonard, with unanimous consent.

Senate Bill 230

Read a second time.

Senator Sussman asked unanimous consent that the bill be laid over until Wednesday, June 16th.

Senator Smith objected.

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Upon motion of Senator Knowles, with unanimous consent, the senate returned to the 10th order of business.

MESSAGE FROM THE ASSEMBLY

By James P. Buckley, chief clerk thereof.

Mr. President:

I am directed to inform you that the assembly has adopted and asks concurrence in

The action by which the assembly, upon motion of Assemblyman O'Malley, pursuant to Joint Rule 26, has directed the Legislative Reference Bureau to prepare a suitable joint certificate of Congratulations to His Excellency, Bishop William P. O'Conner, upon the occasion of his dedicating the new Holy Name Seminary on Madison's West Side on June 10, 1965 and we congratulate the Madison Diocese on their fine new seminary.

ASSEMBLY MESSAGE CONSIDERED

Senator Leonard became a co-author of the foregoing action, with unanimous consent.

The foregoing assembly action under Joint Rule 26 pursuant to motion of Assemblyman O'Malley was concurred in, upon motion of Senator Thompson.

The senate's action was immediately messaged to the assembly.

MOTIONS

Upon motion of Senator Knowles, with unanimous consent, all remaining calendars were ordered printed as one consolidated calendar for Tuesday, June 15th, with all measures remaining in their present order.

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GUESTS INTRODUCED

Senator Krueger introduced, from Toledo, Ohio, Mr. James W. Kennedy with his son Michael and daughters Pat and Peg.

Senator Leonard introduced Mr. Jahn Verdayne and Mr. Dale Witcraft from Milwaukee.

Upon motion of Senator Knowles, and with best wishes from the Majority Party to the Minority Party for a successful convention this weekend, the senate adjourned until 9:00 o'clock Friday morning, June 11, 1965.

CHIEF CLERK REPORTS

The chief clerk records:

Senate Bill 73,
Senate Bill 120,
Senate Bill 171,
Senate Bill 192,
Senate Bill 201,
Senate Bill 227,
Senate Bill 243,
Senate Bill 275 and
Senate Bill 276

Were correctly enrolled and presented to the Governor Thursday at 10:00 A.M., June 10, 1965.